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ADOPTION IN CAMBODIA

A full, current law on adoption in Cambodia is not available in the Law Library's English-language collection of materials on Cambodian law. In the absence of a legal specialist with expertise in the law and the language of the country, information on the subject has been gathered from a number of secondary sources of information on law and procedure and summarized here.

Information from the Cambodian Embassy

According to a document issued by the Ministry of Foreign Affairs and International Cooperation (MFAIC),¹ a new procedure was established in March 2001 for the adoption of Cambodian orphans. Adoptive parents must be 25-55 years old if married and 40-50 years old if single. They must have no more than two children before the adoption and may adopt only two. Five originals of the application form must be submitted to the MFAIC (for foreign adoptions) through diplomatic and consular missions. The application form must include:

- approval letter from a competent authority in the adoptive parent's home country;
- home study done by a competent authority recognized by the government;
- copy of birth certificate of any prospective parent;
- copy of marriage or divorce certificate or a certificate of celibacy;
- medical certificate;
- psychological report issued by a psychiatrist recognized by the government of the adoptive parent;
- certificates of a lack of criminal record, of good behavior in the work place and society, and of financial standing, issued by the competent authorities;
- letters promising to respect the rights of the adopted child, including the right to his or her own heritage, to provide education, and to keep Cambodian authorities informed on the child's progress;
- photos taken within the last two months of the prospective parent or parents;
- copy or copies of the passports of the parent or parents; and
- a note from the parent's diplomatic or consular mission certifying that all the documents are authentic.

Once the Cambodian government agrees to the request to adopt a child, the MFAIC will inform the parents that they should choose the child in the list of orphans maintained by the Ministry of Social Affairs, Labor, Vocational Training, and Youth Rehabilitation (MSALVTY). The parents are permitted to see the child at an orphanage before making a final decision.

When the government agrees to the specific request, the MSALVTY will issue a certificate of adoption to the adoptive parents. At least one parent must come to receive the child in the presence of MSALVTY officials; third party adoption procedures are not permitted.

¹ No. 524 MFA-IC/LC, provided by the Royal Embassy of Cambodia via fax on Dec. 10, 2001.